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Michael Hogendijk

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HAYNES BEFFEL & WOLFELD LLP  
P O BOX 366  
HALF MOON BAY, CA 94019

EXAMINER

BUI, VY Q

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## DETAILED ACTION

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below to replace the previous "Examiner's Amendment", paper 08/10/2009, which had typo errors.

Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue.

Authorization for this examiner's amendment was given in a telephone interview with applicants' attorney, Mr. Hann, on 07/17/2009.

2. The application has been amended as follows:

**Claims 1-20 have been canceled.**

**New claims 21-33 below are allowed:**

Claim 21. (new) A catheter for delivering a vascular prosthesis within a body vessel, the vascular prosthesis having a distal section and a proximal section, the catheter comprising:

an inner member comprising:

an elongated member having distal and proximal ends; and

a radially expandable balloon attached to the elongated member adjacent to the distal end, the balloon having a radially expandable length;

a sheath slideably disposed over at least a portion of the inner member to restrain the vascular prosthesis against the elongated member during transluminal insertion of the catheter;

the radially expandable balloon comprising a non-radially expandable proximal shoulder;

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the non-radially expandable proximal shoulder comprising means for engaging the distal section of the vascular prosthesis to prevent axial translation of the vascular prosthesis during proximal retraction of the sheath;

the means for engaging comprising means for enhancing frictional engagement with the distal section of the vascular prosthesis; and

the means for engaging comprising proximal of the whole radially expandable length of the balloon.

22. (new) The catheter of claim 21, wherein the means for enhancing frictional engagement comprises a polymer layer that has been treated to enhance frictional engagement with the distal section of the vascular prosthesis.

23. (new) The catheter of claim 21, wherein the means for enhancing frictional engagement comprises raised features that inter-engage the distal section of the vascular prosthesis.

24. (new) The catheter of claim 23, wherein the raised features are chosen from the group consisting of ribs, bumps, ridges, grooves, notches and selectively inflatable sections.

25. (new) The catheter of claim 21, wherein the balloon is configured to engage a wall of the body vessel during deployment of the distal section of the vascular prosthesis to prevent axial displacement of the catheter relative to the body vessel.

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26. (new) The catheter of claim 21, wherein the balloon is configured to perform angioplasty of a stenosis disposed within the body vessel.

27. (new) The catheter of claim 21, further comprising at least one radio-opaque marker disposed on the elongated member and a radio-opaque marker disposed adjacent to a distal end of the sheath.

28. (new) The catheter of claim 21, wherein the elongated member further comprises an atraumatic tip disposed on the distal end and a lumen extending between the distal and proximal ends, the lumen dimensioned to slideably receive a guide wire.

29. (new) A catheter for delivering a vascular prosthesis within a body vessel, the vascular prosthesis having a distal section and a proximal section, the catheter comprising:

an inner member comprising:

an elongated member having distal and proximal ends; and

a balloon attached to the elongated member adjacent to the distal end;

the radially expandable balloon comprising a non-radially expandable proximal shoulder;

a sheath slideably disposed over at least a portion of the inner member to restrain the vascular prosthesis against the elongated member during transluminal insertion of the catheter;

a non-radially expandable polymer layer affixed directly to the elongated member at the non-radially expandable proximal shoulder of the balloon, the polymer layer comprising means for engaging the distal section of the vascular prosthesis and enhancing the grip of the polymer

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layer to the vascular prosthesis to help prevent axial translation of the vascular prosthesis during proximal retraction of the sheath.

30. (new) The catheter of claim 29, wherein the polymer layer defines raised features that inter-engage the distal section of the vascular prosthesis.

31. (new) The catheter of claim 29, wherein the balloon is configured to engage a wall of the body vessel during deployment of the distal section of the vascular prosthesis to prevent axial displacement of the catheter relative to the body vessel.

32. (new) The catheter of claim 29, wherein the balloon is configured to perform angioplasty of a stenosis disposed within the body vessel.

33. (new) The catheter of claim 29, further comprising at least one radio-opaque marker disposed on the elongated member and a radio-opaque marker disposed adjacent to a distal end of the sheath.

**3. The following is an examiner's statement of reasons for allowance:** the prior art reference has failed to disclose or suggest a catheter for delivering a vascular prosthesis within a body vessel, the catheter comprising an inner member comprising a radially expandable balloon attached to the elongated member adjacent to the distal end, the balloon having a radially expandable length; a sheath slideably disposed over at least a portion of the inner member to restrain the vascular prosthesis against the elongated member during transluminal insertion of the catheter; the radially expandable balloon comprising a non-radially

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expandable proximal shoulder; and especially the non-radially expandable proximal shoulder comprising means for engaging the distal section of the vascular prosthesis to prevent axial translation of the vascular prosthesis during proximal retraction of the sheath.

Claims 21-33 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vy Q. Bui whose telephone number is 571-272-4692. The examiner can normally be reached on Monday-Tuesday and Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jackie Ho can be reached on 571-272-4696. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Vy Q. Bui/  
Primary Examiner, Art Unit 3773